

time location, origin, and destination data, anticipated time of arrival, and update recipients on the progress of their delivery and report on changes that may impact expected delivery or the viability of the vaccine while in transit;

Provide an advanced communication system that allows public health departments to communicate their vaccine readiness, their capability of receiving vaccines, delivery locations, details of facility capability of storing, securing, personnel authorized to receive deliveries, logistics for delivering vaccines to patients, report on vaccine receipts, condition of vaccines, patient reactions, and feedback on how to improve the process;

Design custom Apps for use by public health agencies, doctors' offices, etc. to be provided to patients to communicate information on the vaccine being received and the date and location of a second dose if required. The App should generate a token that corresponds to their vaccination record to ensure that the right vaccine is administered should a second inoculation be required and to ensure that a person is not vaccinated with different vaccines, additional information such as vaccine effectiveness period may be addressed as more is learned about this;

Secure transportation for delivery or use of vaccines, and, when requested, security for the vaccine delivery sites or inoculation locations to ensure the life and safety of personnel and patients who seek to provide or receive vaccinations are free of interference or threat;

Provide public education and patient engagement through the provision of inoculations of persons in areas and locations where vulnerable populations are under performing in getting vaccinations;

Waive authority of the states to share vaccination data with HHS;

Provide HHS with the capacity to manage the inoculations data on persons and tracking the second vaccination to ensure full immunity and to determine when enough vaccinations have been administered to unique persons to achieve herd immunity. HHS shall protect Vaccination Data as HIPAA protected data, and under the Privacy Act, which shall not allow a waiver of any provision of that law; and the Freedom of Information Act shall not apply to the records maintained.

Provide civil fines of up to \$10,000 per violation, per instance; and criminal penalties of 5 years in prison for violation of this section; or for the use of the information outside the specific purpose of the data collection, which is to assure full inoculation of individuals; and determination of local, state and national herd immunity goals being achieved. Include a data retention limitation—all records shall be destroyed after 5 years—Sunset this provision after 5 years.

Provide an ombudsman to support: public (tribal, territorial, state, and local government); stakeholder input on the work being done; provide advocacy and advice for those who elect not to be vaccinated; and champion the privacy, civil liberty rights on behalf of the American people.

Waive state laws regarding management of inoculation data;

Provide HHS with the capacity as evidenced by the agency's prior experience in managing healthcare.gov, to manage the inoculations data on persons; for the purpose of tracking the second vaccination to ensure full immunity and the management of national inoculation

goals. The protection of inoculation medical information is provided by the: Federal HIPAA medical information privacy law; the Privacy Act and eliminate access to that information through the Freedom of Information Act; and providing for civil and criminal penalties for access or use of the information outside the specific purposes of the collection, which are to ensure inoculations; and determination of progress in herd immunity goals. Patient Inoculation Data retention limitation—all medical records on inoculation of persons under this title shall be destroyed after 5 years—Sunset this provision after 5 years.

Keep oversight Committees in the House and Senate, and the American people informed through daily and weekly reporting requirements comprising data the CDC determines to be relevant and have public benefit in measuring and reporting on inoculation statistics;

Establish a stakeholder advisory board to support the collaboration and cooperation of participants that shall include representatives from, federal, state, and local governments, businesses, colleges, universities, K–12 schools, hospitals, clinics, professional medical associations. Others as deemed essential to the success of a national vaccination program.

Lead government collaboration with Stakeholders in establishing vaccine inoculation centers in locations that shall include: Stadiums; Arenas; K–12 schools; Colleges and Universities; Places of Worship; and Other locations determined to be conducive to reaching the greatest number of person who are in need of inoculations.

EMPOWERING FEMA

FEMA will be empowered to engage all stakeholders and marshals the resources of the federal government where needed to accomplish the objectives.

FEMA employs about 20,000 people nationwide who are stationed in 10 regional offices and the Washington DC headquarters.

FEMA has the authority during times of emergency to leverage its tremendous capacity to coordinate within the federal government, pull federal agency personnel from agencies throughout the federal government to make sure America is equipped and prepared to respond to disasters.

I ask that my Colleagues join me in support of H.R. 22, and greater accountability to the American public on what the federal government is doing and the budget justification that supports expenditures.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 22, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 22.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1230

INSPECTOR GENERAL PROTECTION ACT

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 23) to require congressional notification for certain changes in status of inspectors general, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 23

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Inspector General Protection Act”.

SEC. 2. CONGRESSIONAL NOTIFICATION OF CHANGE IN STATUS OF INSPECTOR GENERAL.

(a) CHANGE IN STATUS OF INSPECTOR GENERAL OF OFFICES.—Section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting “, is placed on paid or unpaid non-duty status,” after “is removed from office”;

(2) by inserting “, change in status,” after “any such removal”; and

(3) by inserting “, change in status,” after “before the removal”.

(b) CHANGE IN STATUS OF INSPECTOR GENERAL OF DESIGNATED FEDERAL ENTITIES.—Section 8G(e)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting “, is placed on paid or unpaid non-duty status,” after “office”;

(2) by inserting “, change in status,” after “any such removal”; and

(3) by inserting “, change in status,” after “before the removal”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 30 days after the date of the enactment of this Act.

SEC. 3. PRESIDENTIAL EXPLANATION OF FAILURE TO NOMINATE AN INSPECTOR GENERAL.

(a) IN GENERAL.—Subchapter III of chapter 33 of title 5, United States Code, is amended by inserting after section 3349d the following new section:

“§ 3349e. Presidential explanation of failure to nominate an Inspector General

“If the President fails to make a formal nomination for a vacant Inspector General position that requires a formal nomination by the President to be filled within the period beginning on the date on which the vacancy occurred and ending on the day that is 210 days after that date, the President shall communicate, within 30 days after the end of such period, to Congress in writing—

“(1) the reasons why the President has not yet made a formal nomination; and

“(2) a target date for making a formal nomination.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by inserting after the item relating to 3349d the following new item:

“3349e. Presidential explanation of failure to nominate an Inspector General.”

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and

shall apply to any vacancy first occurring on or after that date.

SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Alabama (Mr. PALMER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure before us.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Inspector General Protection Act was introduced by Representatives TED LIEU and JODY HICE. An identical measure passed the House in the last Congress.

I am proud to support this bipartisan measure, which would improve the independence of inspectors general. The bill would also address the disturbingly slow nomination of IGs that has been the norm across multiple administrations.

The bill would require notification of Congress 30 days prior to an IG being placed on leave. Such notification is already required prior to an IG being removed from duty.

The bill also would require the President to report to Congress if he has not nominated an IG after 210 days of a vacancy occurring. This report must include the reasons for failing to make the nomination and a target date for doing so. The requirement will hopefully prod the executive branch to nominate IGs in a more timely manner.

IGs provide critical oversight and accountability within Federal agencies, and the positions need to be filled more quickly than is currently the case.

I urge Members to support this bipartisan bill, and I reserve the balance of my time.

Mr. PALMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 23, the Inspector General Protection Act. I want to thank Representatives TED LIEU and JODY HICE for working together on this legislation.

H.R. 23 will help Congress track Federal agency inspectors general vacan-

cies and make sure they are filled by the President in a timely manner.

Inspectors general help combat Federal fraud, waste, and abuse and improve the operations of the executive branch departments and agencies. Inspectors general help Congress shine light on areas of the government that need improvement and oversight. However, both Republican and Democratic administrations have experienced numerous and prolonged inspector general vacancies.

The Inspector General Protection Act would simply require the President to notify Congress of any change to a current inspector general's employment status. The bill would also require the President to notify Congress if a nomination to replace an inspector general does not take place within 210 days.

These provisions will improve congressional oversight of the executive branch by providing transparency to the President's inspectors general nominations.

Inspectors general are an indispensable resource to Congress and to the American people, and Congress can reaffirm our responsibility to combating government waste, fraud, and abuse by assuring consistent Federal agency inspector general office leadership.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I rise in support of Representative LIEU's Inspector General Protection Act.

The inspector general system has been invaluable in rooting out waste, fraud, and abuse in our Federal programs, and sometimes even criminal activity. It has also instilled confidence in Federal agencies by ensuring accountability. That, however, doesn't mean the system is perfect.

Since the initial passage of the Inspector General Act of 1978, we have seen what works and what doesn't. We have added inspectors general and refined their processes.

On January 20, a new President will be sworn into office and a new administration will lead our Federal agencies. Before they begin, now is a good time to update some of our inspector general requirements.

This bill makes important improvements by requiring disclosure to Congress when an IG is put on nonduty status and why a President has not nominated a permanent IG for a vacant position. These updates are necessary, and we must also do more.

Last Congress, I introduced the Appointments Clause Enforcement Act. That bill included several important changes to the IG system that would help make inspectors general more independent and instill confidence in them.

For example, rather than the President appointing an acting IG when a

position is vacant, my bill would have the Council of the Inspectors General on Integrity and Efficiency develop a list of qualified candidates and share those with the chief judge of the district court in the District of Columbia, who would make the appointment. That way, a President could not install political allies as acting inspectors general, even ones who didn't receive the advice and consent of the Senate, as a way to reduce oversight.

We should also clarify provisions to make sure that IGs forward legitimate whistleblower complaints to Congress without political interference and that those whistleblowers are protected from political retribution.

I thank Representative LIEU for sponsoring the Inspector General Protection Act and Speaker PELOSI for bringing it to the floor as one of our first bills.

I hope that this is the beginning of the 117th Congress' efforts to improve the inspector general system that works to improve our Federal Government's systems of administration and protects policies that are important for transparency and integrity of government.

Mr. PALMER. Mr. Speaker, I yield as much time as he may consume to the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN. Mr. Speaker, the integrity of the inspector general process and the ability of the President of the United States to appoint inspectors general is dependent on the integrity of the Presidential election.

During the campaign, Vice President Biden would get 55 people at an event. President Trump got 55,000 at just one rally. President Trump increased his vote with African Americans, increased his vote with Hispanic Americans, won 19 of 20 bellwether counties, won Ohio by 8, Iowa by 8, Florida by 3, got 11 million more votes than he got in 2016, and House Republicans won 27 of 27 toss-up races.

But somehow Joe Biden, the guy who barely left his house, won the election? Maybe.

But 80 million Americans, both Republicans and Democrats, have their doubts, and 60 million Americans think the election was stolen—60 million people, over one-third of the electorate.

But no one in this town seems to care. Democrats don't care. The media doesn't care. Eighty million of our fellow citizens have their doubts about the election 2 months ago, and the media and the Democrats say: Nothing to see here.

Of course, this town has been out to get the President since July 31, 2016, before he was elected the first time. Four years and \$40 million on the Russia hoax, but we can't look into an election that 60 million Americans think was stolen?

Nine weeks since election day, not one investigation, not one hearing in the House of Representatives. We asked for it. We asked Chairwoman MALONEY. Mr. COMER and I asked for it. We asked

Chairman NADLER. Nope, not going to do it.

We would welcome an inspector general investigation, for goodness sake. Over 200 affidavits and declarations of wrongdoing, but no investigation in the Congress—no subpoenas, no depositions, no chance for questioning or cross-examination of witnesses.

Why? Why won't they look into it? Why no hearings? Why no investigation?

I think it is because deep down they know there were big problems with this past election. They know the Constitution was violated.

Article I, Section 4: Time, place, and manner for holding elections shall be determined in each State by the legislature thereof.

Article II, Section 1: "Each State shall appoint, in such manner as the legislature thereof may direct. . . ."

Look at Pennsylvania. Pennsylvania law says mail-in ballots by 8 o'clock on election day. Election day ends at 8 o'clock. Mail-in ballots have to be in by 8 o'clock on election day. The Democrat State Supreme Court said: No, we are going to extend the election day till Friday, till 5 o'clock on Friday.

Pennsylvania State law says mail-in ballots require signature verification. The Democrat secretary of state said no. For 2.6 million ballots, she said: We are not going to follow the law.

Pennsylvania law says mail-in ballots can't be processed until election day, but some county commissioner said no and allowed ballots to be cured, to be fixed, to be changed before election day. You can imagine which counties allowed that, you can just imagine. Democrat counties allowed it; Republican counties didn't.

The legislature determines the time, place, and manner of elections, not State supreme courts, not secretaries of states, not county commissioners. All of those entities took actions that directly violated the law, the law that State legislatures enacted, and thereby violated the Constitution.

But Democrats don't care. They don't want to look into it. They would rather just belittle 60 million of our fellow citizens, call them names, say it is a conspiracy, make fun of the very people we are all supposed to represent.

Well, guess what. Tomorrow, those people will get a chance to hear the truth. Tomorrow, those 60 million people, those 80 million people who have their doubts, will not be treated with disrespect; they will be treated with the respect they deserve.

Tomorrow, there will be a debate in the people's House. Tomorrow, the Constitution will be defended, and the American people will see the truth. They will see how Democrats changed the rules in the days and weeks leading up to the election and created chaos in our election process. Tomorrow, they will see what the late Justice Ruth Bader Ginsburg said: The ultimate date of significance is January 6. Tomorrow, the citizens of this great country will see why.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I have no further speakers. I urge a positive vote on H.R. 23, and I reserve the balance of my time.

Mr. PALMER. Mr. Speaker, I hope we can continue to find bipartisan ways to build on similar good government reforms, such as this bill.

Mr. Speaker, I strongly urge my colleagues to support this commonsense legislation, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 23, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 23.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONSTRUCTION CONSENSUS PROCUREMENT IMPROVEMENT ACT OF 2021

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 26) to amend the Consolidated Appropriations Act, 2021, to correct a provision on the prohibition on the use of a reverse auction, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 26

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Construction Consensus Procurement Improvement Act of 2021".

SEC. 2. AMENDMENT.

Section 402 of title IV of division U of the Consolidated Appropriations Act, 2021, is amended to read as follows:

"PROHIBITION ON USE OF A REVERSE AUCTION FOR THE AWARD OF A CONTRACT FOR COMPLEX, SPECIALIZED, OR SUBSTANTIAL DESIGN AND CONSTRUCTION SERVICES

"SEC. 402.

"(a) FINDINGS.—Congress makes the following findings:

"(1) In contrast to a traditional auction in which the buyers bid up the price, sellers bid down the price in a reverse auction.

"(2) Reverse auctions, while providing value for the vast majority of Federal acquisitions, including certain construction-related acquisitions, are limited in value for complex, specialized, or substantial design and construction services.

"(b) REVERSE AUCTION DEFINED.—In this section, the term 'reverse auction' means, with respect to any procurement by an executive agency, a real-time auction generally conducted through an electronic medium among two or more offerors who compete by submitting bids for a supply or service contract, or a delivery order, task order, or purchase order under the contract, with the ability to submit revised lower bids at any time before the closing of the auction.

"(c) PROHIBITION.—

"(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this section, the Federal Acquisition Regulation shall be amended to prohibit the use of reverse auctions for awarding contracts for complex, specialized, or substantial design and construction services.

"(2) APPLICABILITY TO ACQUISITIONS ABOVE THE SIMPLIFIED ACQUISITION THRESHOLD.—The prohibition on reverse auctions for complex, specialized, or substantial design and construction services shall apply only to acquisitions above the simplified acquisition threshold (SAT) for construction and design services pursuant to part 36 of the Federal Acquisition Regulation.

"(d) RULEMAKING FOR COMPLEX, SPECIALIZED, OR SUBSTANTIAL SERVICES.—Not later than 180 days after the date of the enactment of this section, the Federal Acquisition Regulatory Council shall promulgate a definition of complex, specialized, or substantial design and construction services, which shall include—

"(1) site planning and landscape design;

"(2) architectural and engineering services (as defined in section 1102 of title 40, United States Code);

"(3) interior design;

"(4) performance of substantial construction work for facility, infrastructure, and environmental restoration projects; and

"(5) construction or substantial alteration of public buildings or public works.

"(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to restrict the use of reverse auctions for the procurement of other goods and services except as specifically provided for under this section.

"(f) REPORT.—Not later than two years after the date of the enactment of this section, the Administrator of General Services shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on the effectiveness of this section in delivering complex, specialized, or substantial design and construction services to the United States Government."

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Alabama (Mr. PALMER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure before us.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.